

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Docket No. P27154

Michael P. Belyansky, *et al.*

Confirmation No. 2429

Appln. No. : 10/708,430

Group Art Unit: 2818

Filed : March 3, 2004

Examiner: A. Huynh

For : MOBILITY ENHANCED CMOS DEVICES

Certificate of Transmission under 37 CFR 1.8

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Signature

Andrew M. Calderon, Reg. No. 38,093

Typed or printed name of person signing Certificate

**PETITION UNDER 37 C.F.R. 1.313(c)(2)
REQUESTING WITHDRAWAL OF THE APPLICATION FROM ISSUE**

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop _____
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Sir:

This is a Request for Withdrawal from Issue of the above-identified application.

The issue fee was paid on March 30, 2006. Applicant's representative recently discovered references which are cited in an IDS filed concurrently herewith. This

discovery occurred subsequent to payment of the issue fee. In order to have the references considered, a Request for Continued Examination (RCE) under 37 C.F.R. 1.114 is being filed concurrently herewith, as is an IDS making the references cited therein of record.

A Supplemental Information Disclosure Statement for the Examiner's consideration is being submitted on even date herewith in the mailroom. A signed copy of the Supplemental Information Disclosure Statement is submitted herewith. A signed copy of the RCE is also attached hereto, as a courtesy.

In accordance with 37 C.F.R. 1.114(a)(1), grant of this petition under 37 C.F.R. 1.313 (c)(2) is respectfully requested.

Please charge the \$130 petition fee required under 37 C.F.R. 1.17(h) to **IBM Deposit Account No. 09-0458** (Fishkill). The Commissioner is hereby authorized to charge any additional fees and refund excess fees concerning the application to **IBM Deposit Account No. 09-0458**.

Respectfully submitted,
Michael P. Belyansky,, *et. al*

A handwritten signature in black ink, appearing to read 'Andrew M. Calderon', with a stylized, looping flourish at the end.

Andrew M. Calderon
Reg. No. 38,093

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